

REMARKS

Claims 1-20 are pending in the instant application. Claims 1-20 have been rejected by the Examiner. Claims 1-20 have been amended. New claims 21-23 have been added. The Applicants submit that claims 1-23 are in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Rejections Under 35 USC §101

Claims 13 and 14 have been rejected under 35 U.S.C. 101 because the recited database is allegedly non-statutory subject matter. In particular, the Examiner states that the database is functional descriptive material *per se* because it would not impart functionality unless it is embodied on a computer-readable medium. The Applicants have amended claims 13 and 14 to address this rejection. In particular, claim 13 has been amended to recite, *inter alia*, a “database... **encoded on a computer-readable medium** and storing financial notification data, comprising: an account identification for a primary user and a secondary user, the financial notification data operable for defining transaction controls associated with the secondary user; a spending type including at least one of: a type of purchase; a type of merchant; a time of day; and a location type; and conditions for issuing a notification to the primary user in response to a request to initiate a financial transaction; wherein, in response to receiving a request to initiate the financial transaction by the secondary user at a point of sale, ***the account identification from the request is used to retrieve the financial notification data from the database, apply the conditions and the financial notification data to the request, and notify the point of sale and the primary user of the results of the application.***” The database recited in claim 13 is proper statutory subject matter as it is embodied on a computer-readable medium and imparts functionality (i.e., initiation and execution of a financial transaction including notifications). The Applicants submit that the amendment to claim 13 overcomes the issues raised under 35 U.S.C. 101. Claim 14 depends from a proper statutory claim and is believed to be in proper form at least for reasons of its dependency thereon. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Claim Rejections Under 35 USC §102

Claims 1-20 have been rejected under 35 U.S.C. 102(e) as being allegedly anticipated by U.S. Patent No. 7,249,092 issued to Dunn et al. (hereinafter “Dunn”). Claims 1-20 have been amended to better clarify that which the Applicants regard as their invention. The Applicants submit that amended claims 1-20 are patentably distinct from Dunn, and the art as a whole, and are in condition for allowance.

Independent claims 1, 7, and 15 have been amended to include a feature previously recited in respective claims 2, 8, and 16. Thus, no new matter has been entered. In particular, claims 1, 7, and 15 now recite, *inter alia*, “prompting a primary user to input financial notification data, the financial notification data operable for defining transaction controls associated with a secondary user...***wherein the financial notification data specify conditions for issuing a notification to the primary user in response to receiving a request to execute the financial transaction.***” These features are neither taught nor suggested by Dunn or the art as a whole. Dunn describes notifications of transaction approval/denial to merchant systems (column 21, lines 19-22) and also describes a notification to a parent system 104 of depleted funds in the account due to a submitted settlement request (column 22, lines 20-24). Further, notification of an impending expiration date may be sent to a parent or subsidiary account, such that the parent is given opportunity to extend the date (column 22, lines 37-40). However, there is no teaching in Dunn that a primary user may configure the account to specify conditions for issuing a notification to the primary user ***in response to receiving a request to execute*** the financial transaction. This point-of-sale-initiated notification to a primary user is not contemplated by Dunn. Thus, Dunn may not be properly relied upon for teaching “financial notification data specify conditions for issuing a notification to the primary user in response to receiving a request to execute the financial transaction,” as recited in the Applicants’ claims 1, 7, and 15. For at least this reason, the Applicants submit that claims 1, 7, and 15 are in condition for allowance.

Claims 4, 10, and 18 have been amended to recite, *inter alia*, “presenting a user interface screen with a menu of transaction control items and transaction control rules, the control items organized into, and presented via the user interface as, categories; wherein receiving the financial notification data from the primary user includes receiving one of a user-selected control item,

category of control item, and user-defined control item from the primary user via the user interface screen.” These features may be found throughout the Applicants’ specification and drawings. In particular, support for these features may be found in FIG. 3 (user interface) and in paragraph [0022]. Thus, no new matter has been entered by this amendment. Dunn does not teach or suggest a user interface screen with a menu of transaction control items and transaction control rules, organized into categories for selection by a primary user. The only mention of any user interface in Dunn may be found in column 17, lines 60-63, which makes general reference to a user interface implemented by a merchant server 112 and financial institution server 114. For at least this reason, the Applicants submit that claims 4, 10, and 18 are not anticipated by Dunn.

Claims 2-6, 8-12, and 16-20 depend from what should be patentable independent claims 1, 7, and 15, respectively. For at least these reasons, claims 2-6, 8-12, and 16-20 are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Claim 13 has been amended to recite features that are substantially similar to those in amended claims 1, 7, and 15. For at least the reasons advanced above with respect to claims 1, 7, and 15, the Applicants submit that claim 13 is patentable over Dunn. Claim 14 depends from what should be an allowable base claim. In addition, amended claim 14 includes features substantially similar to those in claims 2, 8, and 16. Thus, no new matter has been entered. For at least the reasons advanced above, the Applicants submit that claim 14 is in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

New claims 21-23 depend from respective claims 1, 7, and 15. Claims 21-23 recite, *inter alia*, “wherein the primary account holder is a merchant.” Support for claims 21-23 may be found, e.g., in paragraph [0024]. Thus, no new matter has been entered. The features recited in new claims 21-23 are not disclosed anywhere in the Dunn reference. Thus, claims 21-23 are not anticipated by Dunn and are in condition for allowance.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1-23 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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